428 very much questioned: one often sees a woman's family trying to get hold of the inheritance on the grounds of incomplete payment of the bride price.

Oral wills are increasingly being replaced by written wills. The testator may himself kap élik, distribute the inheritance, and favor certain heirs. He cannot entirely disinherit the ntôl mon except by cursing him, unless the latter has left the village in an apparently final manner, in which case a younger brother becomes njian. /78/

Disappearance is a question of fact. When a man has stayed away for a long time without sending news, and no one knows where he is, his elders and his brothers may decide to share his possessions. This division is canceled should he return.

• 429 Guardianship of a minor, meba'ale or akalé (from ba'ale or kalé : to take care of, watch over) is given to a nya mbô of a higher age grade, preferably a paternal uncle, ésa (lit., father) or paternal grandparent, émvam; in their absence it is given to an elder brother; in the absence of all these, to a senior member of the family or clan. The maternal uncle, ndomenyan, acts as a kind of deputy guardian with the duty of supervising the guardianship. A ward who is maltreated by his guardian will seek refuge with his maternal uncle.

The guardian, mba'ak mon or nkalé mon, has by virtue of his age and of their kinship tie full power over an orphan, mone nyui or mo'nyui. He cannot, however, have control of his possessions, which must be restored in full, either in kind or in /equivalent/ value, when the orphan reaches majority. In theory a guardian ought to arrange his ward's marriage at his own expense, a tradition that is dying out with the decrease in family property. When the ward grows up he may demand an accounting of the guardianship, provided that there is no insult to the guardian. A family council composed of elders, mintôl, deals with such a case.

The mba'ale mon responsible for the guardianship of a girl is the person who approves her marriage and accepts the nsuba, of which he must reserve the total for the marriage of the girl's brothers if they also are minors. Guardianship of a girl is always given to her eldest brother if he is grown at the time of the father's death; if not, she is handed over to him when he reaches majority by the mba'ale mon, if she has not been married during the brother's minority. Furthermore, even in the latter case, it falls to him to repay the nsuba should the girl be divorced after he has passed out of guardianship.